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# HOUSE BILL No. 1218

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-32.

**Synopsis:** Sale of charitable raffle tickets. Provides that a qualified organization conducting a raffle event under the charity gaming laws may enter an agreement with an individual to offer raffle tickets for sale as an authorized raffle event agent of the organization. Provides that the individual may not be compensated for participating in the raffle event. Sets forth various procedural and documentation requirements pertaining to an individual's participation in a raffle event.

**Effective:** July 1, 2002.

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**Becker, Bauer, Budak**

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January 10, 2002, read first time and referred to Committee on Rules and Legislative Procedures.

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Introduced

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

## HOUSE BILL No. 1218

A BILL FOR AN ACT to amend the Indiana Code concerning charity gaming.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 4-32-6-2.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2002]: **Sec. 2.5. "Authorized raffle event agent" means a person**  
4 **authorized to sell raffle tickets on behalf of a qualified organization**  
5 **under IC 4-32-9-15.**

6 SECTION 2. IC 4-32-6-24 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 24. (a) Except as**  
8 **provided in subsection (b), "worker" means an individual who helps**  
9 **or participates in any manner in preparing for, conducting, assisting in**  
10 **conducting, cleaning up after, or taking any other action in connection**  
11 **with an allowable event under this article.**

12 **(b) The term does not include an authorized raffle event agent**  
13 **(as defined in section 2.5 of this chapter).**

14 SECTION 3. IC 4-32-9-4 IS AMENDED TO READ AS FOLLOWS  
15 [EFFECTIVE JULY 1, 2002]: **Sec. 4. (a) Each organization applying**  
16 **for a bingo license, special bingo license, charity game night license,**  
17 **raffle license, door prize drawing license, or festival license must**

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1 submit to the department a written application on a form prescribed by  
2 the department.

3 (b) The application must include the information that the  
4 department requires, including the following:

- 5 (1) The name and address of the organization.
- 6 (2) The names and addresses of the officers of the organization.
- 7 (3) The type of event the organization proposes to conduct.
- 8 (4) The location at which the organization will conduct the bingo  
9 event, charity game night, raffle event, door prize event, or  
10 festival.
- 11 (5) The dates and times for the proposed bingo event or events,  
12 charity game night, raffle event, door prize event, or festival.
- 13 (6) Sufficient facts relating to the organization or the  
14 organization's incorporation or founding to enable the department  
15 to determine whether the organization is a qualified organization.
- 16 (7) The name of each proposed operator and sufficient facts  
17 relating to the proposed operator to enable the department to  
18 determine whether the proposed operator is qualified to serve as  
19 an operator.
- 20 (8) A sworn statement signed by the presiding officer and  
21 secretary of the organization attesting to the eligibility of the  
22 organization for a license, including the nonprofit character of the  
23 organization.
- 24 (9) Any other information considered necessary by the  
25 department.

26 **(c) This subsection applies only to an application for a raffle**  
27 **event license. The application must include the following**  
28 **information pertaining to a proposed authorized raffle event agent:**

- 29 **(1) The name and address of the authorized raffle event agent.**
- 30 **(2) The location at which the proposed authorized raffle event**  
31 **agent will sell raffle tickets on behalf of the qualified**  
32 **organization.**
- 33 **(3) Sufficient facts relating to the proposed agent to enable the**  
34 **department to determine whether the proposed agent is**  
35 **qualified to serve as an authorized raffle event agent.**
- 36 **(4) Any other information considered necessary by the**  
37 **department.**

38 SECTION 4. IC 4-32-9-11 IS AMENDED TO READ AS  
39 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 11. (a) A bingo license  
40 or special bingo license may also authorize a qualified organization to  
41 conduct door prize drawings and sell pull tabs, punchboards, and tip  
42 boards at the bingo event.

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(b) A charity game night license may also authorize a qualified organization to conduct door prize drawings and sell pull tabs, punchboards, and tip boards at the charity game night.

(c) A raffle license may also authorize a qualified organization to conduct door prize drawings and sell pull tabs, punchboards, and tip boards at the raffle event. **However, an authorized raffle event agent may not sell pull tabs, punchboards, or tip boards in conjunction with the raffle event.**

(d) A door prize license may also authorize a qualified organization to sell pull tabs, punchboards, and tip boards at the door prize event.

SECTION 5. IC 4-32-9-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 15. **(a) Except as provided in subsection (c),** a qualified organization may not contract or otherwise enter into an agreement with an individual, a corporation, a partnership, a limited liability company, or other association to conduct an allowable event for the benefit of the organization.

**(b) Except as provided in subsection (c),** a qualified organization shall use only operators and workers meeting the requirements of this chapter to manage and conduct an allowable event.

**(c) A qualified organization may enter into an agreement with an individual to serve as an authorized raffle event agent of the qualified organization. An authorized raffle event agent may sell raffle tickets on behalf of the qualified organization. An authorized raffle event agent may advertise the qualified organization's raffle event in conjunction with an advertisement for the agent's business.**

SECTION 6. IC 4-32-9-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 17. **(a)** A qualified organization shall maintain accurate records of all financial aspects of an allowable event under this article. A qualified organization shall make accurate reports of all financial aspects of an allowable event to the department within the time established by the department. The department may prescribe forms for this purpose. The department shall, by rule, require a qualified organization to deposit funds received from an allowable event in a separate and segregated account set up for that purpose. All expenses of the qualified organization with respect to an allowable event shall be paid from the separate account.

**(b) An authorized raffle event agent shall maintain accurate records of all raffle ticket sales made by the agent under an agreement with a qualified organization under section 15 of this chapter. An authorized raffle event agent shall submit the records, the proceeds of the sale, and all unsold raffle tickets to the qualified**

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1 organization at least twenty-four (24) hours before the qualified  
 2 organization draws the winning raffle ticket. An authorized raffle  
 3 event agent shall make accurate reports of the agent's raffle ticket  
 4 sales to the department within the time established by the  
 5 department. The department may prescribe forms for this purpose.

6 SECTION 7. IC 4-32-9-23 IS AMENDED TO READ AS  
 7 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 23. An operator, ~~or~~ a  
 8 worker, **or an authorized raffle event agent** may not be a person who  
 9 has been convicted of or entered a plea of nolo contendere to a felony  
 10 committed in the preceding ten (10) years, regardless of the  
 11 adjudication, unless the department determines that:

- 12 (1) the person has been pardoned or the person's civil rights have  
 13 been restored; or
- 14 (2) subsequent to the conviction or entry of the plea, the person  
 15 has engaged in the kind of good citizenship that would reflect  
 16 well upon the integrity of the qualified organization and the  
 17 department.

18 SECTION 8. IC 4-32-9-24 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 24. An employee of the  
 20 department or a relative living in the same household with the  
 21 employee of the department may not be an operator, ~~or~~ a worker, **or an**  
 22 **authorized raffle event agent**.

23 SECTION 9. IC 4-32-9-25 IS AMENDED TO READ AS  
 24 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 25. (a) Except as  
 25 provided in subsection (b), an operator, ~~or~~ a worker, **or an authorized**  
 26 **raffle event agent** may not receive remuneration for:

- 27 (1) preparing for;
- 28 (2) conducting;
- 29 (3) assisting in conducting;
- 30 (4) cleaning up after; or
- 31 (5) taking any other action in connection with;
- 32 an allowable event.
- 33 (b) A qualified organization that conducts an allowable event may:
- 34 (1) provide meals for the operators and workers during the
- 35 allowable event; and
- 36 (2) provide recognition dinners and social events for the operators
- 37 and workers;

38 if the value of the meals and social events does not constitute a  
 39 significant inducement to participate in the conduct of the allowable  
 40 event.

41 SECTION 10. IC 4-32-9-27 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 27. An operator, ~~or~~ a

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1 worker, **or an authorized raffle event agent** may not directly or  
2 indirectly participate, other than in a capacity as **an** operator, ~~or a~~  
3 worker, **or an authorized raffle event agent**, in an allowable event  
4 that the operator, ~~or~~ worker, **or authorized raffle event agent** is  
5 conducting.

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